

California Regional Water Quality Control Board
Santa Ana Region

January 23, 2002

ITEM: 12

SUBJECT: TRIENNIAL REVIEW OF BASIN PLANNING ISSUES

The Porter-Cologne Water Quality Control Act (Division 7 of the California Water Code) and the Federal Clean Water Act both mandate periodic review of water quality control plans. Section 13240 of the Water Code requires, "Each regional board shall formulate and adopt water quality control plans for all areas within the region... During the process of formulating such plans the regional boards shall consult with and consider the recommendations of affected state and local agencies. *Such plans shall be periodically reviewed and may be revised.*"

Section 303 (c)(1) of the Federal Clean Water Act requires, "... the water pollution control agency of such State *shall from time to time (but at least once each three year period...)* hold public hearings for the purpose of reviewing applicable water quality standards and, as appropriate, modifying and adopting standards." Because the review mandated by the Clean Water Act takes place every three years, it is termed a "Triennial Review".

The Basin Plan, the Region's water quality control plan, recognizes and reflects regional differences in existing water quality, the beneficial uses of the Region's ground and surface waters, and local water quality conditions and problems. Notwithstanding legal requirements for regular review, revisions to the Basin Plan are periodically necessary to reflect changes in laws, regulations and policies (and their implementation), changes in water quality standards, new scientific information, etc. The last Triennial Review of the Basin Plan was initiated in 1998. This staff report initiates the 2002 Triennial Review process.

The Triennial Review process includes the identification of emerging water quality issues, discussion of these issues and their priority at one or more public workshops, and presentation of a priority list of issues at a public hearing for Board approval. Adoption of the Triennial Review priority list does not amend the Basin Plan, but merely establishes priorities for reviewing and potentially amending the Basin Plan over the following three years.

Board staff is preparing a tentative priority list of issues for this Triennial Review. This list will reflect ongoing work and commitments, including the Nitrogen/TDS study and the development of TMDLs. It will also include issues already identified by interested parties, including the U.S. EPA. Overall, these issues fall into several broad categories:

- A) Revisions to the surface water and groundwater subbasin lists and maps. (Chapter 3., Beneficial Uses, and Chapter 4., Water Quality Objectives) For example, revisions of some groundwater subbasin boundaries are indicated by findings of the ongoing nitrogen/TDS studies, and redefinition of upper reaches of the Santa Ana

River may be indicated as a result of the completion of the Seven Oaks Dam flood control facilities and relicensing of adjacent hydrogeneration facilities.

- B) Revisions to beneficial use tables. (Chapter 3.) For example, staff will recommend assigning the RARE beneficial use to inland streams known to support recently listed threatened or endangered species. The U.S. EPA has questioned the exception to the MUN use now specified in the Basin Plan for certain reservoirs used exclusively for storage of irrigation water.
- C) Revisions to both narrative and numeric water quality objectives. (Chapter 4.) For example, the site-specific objectives now specified in the Basin Plan for copper, cadmium and lead for the middle reaches of the Santa Ana River no longer appear to be appropriate and defensible, given new scientific information reflected in the California Toxic Rule (CTR). Board staff will recommend the deletion of these objectives from the Plan (and reliance on the CTR objectives). Staff will also recommend that chlorine residual objectives for inland surface waters supporting WARM and revised bacterial objectives for REC1 waters be considered.
- D) Revisions to implementation strategies, including ongoing work on TMDLs, nitrogen/TDS, revised waste load allocations, etc. (Chapter 5., Implementation)
- E) Substantive editorial clarifications and updates.

The draft list will be presented to the Board on January 23, 2002. Staff will also distribute the tentative priority list to interested parties and the public to solicit their input on the issues scheduled for review and the priority of review. This solicitation will be both by direct mail and electronic mail, and will be posted on the Region's web site.

At this time, Board staff expects that a work shop will be held at the Board's March or April 2002 meeting to present the tentative Triennial Review priority list to the Board and public. Staff will collect and consider public comments from the work shop and formulate a proposed final Triennial Review priority list. Written responses to comments will also be prepared. The final list, including an estimate of the staff resources necessary to review listed issues, will be presented to the Board for consideration in May or July 2002.

Proposed revisions to the Basin Plan, including water quality standards (that is, both numeric and narrative water quality objectives and beneficial uses), will be presented to the Regional Board for consideration in the future as Basin Plan amendments.